

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 374

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 19, 2014

The Senate Judiciary Committee reports favorably and with committee amendments Senate Bill No. 374.

This bill, as amended, requires that in cases in which a workers' compensation petitioner has received compensation from an insurance company prior to any judgment or award, the reasonable allowance for attorney fees will be based upon the sum of the amount of compensation received by the petitioner prior to any judgment, but after the establishment of an attorney-client relationship pursuant to a written agreement, and the amount of the judgment or award in excess of the amount of compensation already received by the petitioner. Currently, in cases in which a petitioner has received compensation prior to a judgment or award, a reasonable attorney fee is based upon only that part of the judgment or award that is in excess of the amount of compensation already received by the petitioner.

This bill was pre-filed for introduction in the 2014-2015 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

-update the bill to provide that the reasonable allowance for attorney fees will be based upon the sum of the amount of compensation received by the petitioner prior to a judgment or award, but after the establishment of an attorney-client relationship pursuant to a written agreement, and the amount of the judgment or award in excess of the amount of compensation already received by the petitioner.